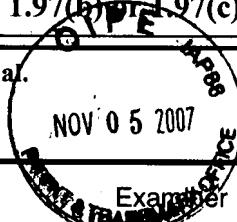


1645

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) ~~or~~ 1.97(c))

Docket No.
19181

In Re Application Of: **Sandra Ebert, et al.**



Application No. 10/549,557	Filing Date October 2, 2006	Examiner UNASSIGNED	Customer No. 23389	Group Art Unit 1645	Confirmation No. 4680
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Title:

ASSESSMENT METHOD

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
19181

In Re Application of: **Sandra Ebert, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/549,557	October 2, 2006	Unassigned	23389	1645	4680

Title:

ASSESSMENT METHOD

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.

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November 2, 2007

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Signature of Person Mailing Correspondence

Xiaochun Zhu

Typed or Printed Name of Person Mailing Certificate

Dated: **November 2, 2007**

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516-742-4343

CC:



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sandra Ebert, et al.

Examiner: Unassigned

Serial No.: 10/549,557

Art Unit: 1645

Filed: October 2, 2006

Docket: 19181

For: ASSESSMENT METHOD

Dated: November 2, 2007

Confirmation No.: 4680

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

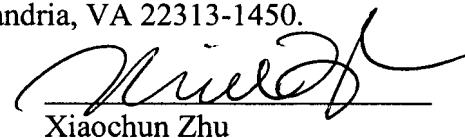
In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following reference, which is also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. PCT International Publication No. WO 03/006057 A1, published January 23, 2003.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 2, 2007



Xiaochun Zhu

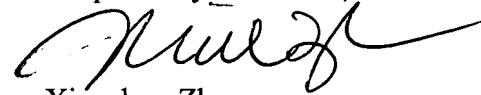
The reference was cited in an Office Action dated August 2, 2007 received from the European Patent Office. The relevance of the reference is described in the Office Action. A copy of the European Office Action and a copy of this reference are enclosed.

Applicants respectfully submit that the other references cited in the European Office Action, namely, (D1) Uwe M. et al., "Serum Follistatin Concentrations are Increased in Patients with Septicaemia" *Chemical Endocrinology*, 48:413-417 (1998); (D2) Hübner G. et al., "Activin A: A Novel Player and Inflammatory Marker in Inflammatory Bowel Disease?", *Laboratory Investigation* 77(4):311-318 (1997); (D3) Jones K.L. et al., "Activin A Release into the Circulation is an Early Event in Systemic Inflammation and Precedes the Release of Follistatin", *Endocrinology* 141(5):1905-1908 (2000); and (D4) De Kretser D.M. et al., "Activin A and Follistatin: Their Role in the Acute Phase Reaction and Inflammation", *Journal of Endocrinology* 161:195-198 (1999), were previously submitted with Applicants' Information Disclosure Statement dated January 26, 2007.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits an Official Action by a foreign examiner in which the reference was cited. The relevance to the pending U.S. patent application is that the Office Action issued in a foreign patent application on the same subject matter. However, no independent analysis of the Office Action, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the foreign examiner's comments submitted herewith.

The undersigned attorney hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,



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